

**R E M A R K S**

Careful review and examination of the subject application are noted and appreciated.

**SUPPORT FOR CLAIM AMENDMENTS**

Support for the amendments to claims may be found in the specification, for example, on page 32 lines 1-10. As such, no new matter has been added.

**CLAIM REJECTIONS UNDER 35 U.S.C. §112**

The rejection of claims 1-9, 12, 13, 15-18 and 20-24 under 35 U.S.C. §112, first paragraph, has been obviated by amendment and should be withdrawn.

The rejection of claims 21 and 23 under 35 U.S.C. §112, second paragraph, is respectfully traversed and should be withdrawn.

Given a set of any four elements {W, X, Y, Z}, more than four subsets may be created. For example, some possible subsets of the set {W, X, Y, Z} include a subset {W}, a subset {X}, a subset {Y}, a subset {Z}, a subset {W, X}, a subset {W, Y}, a subset {W, Z} and so on. As such, the rational used in the rejection is incorrect and the rejection should be withdrawn.

**CLAIM REJECTIONS UNDER 35 U.S.C. §103**

The rejection of claims 1, 2, 5-9, 12, 13, 15, 16, 20, 22 and 24 under 35 U.S.C. §103(a) as being unpatentable over Sun, US Pub. No. 2003/0202705, (hereinafter Sun) in view of "Working Draft Number 2 Revision 2" (hereinafter WD2) has been obviated by amendment and should be withdrawn.

The rejection of claims 3 and 4 under 35 U.S.C. §103(a) as being unpatentable over Sun in view of WD2 and Joch et al., US Pub. No. 2004/0101059 (hereafter Joch) has been obviated by amendment and should be withdrawn.

Sun concerns a system and method for lossless video coding (title). WD2 concerns a reference coding method to be used for the development of a new video compression method called JVT Coding as ITU-T Recommendation (H.26L) and ISO/IEC JTCI standard (MPEG-4, Part 10) (WD2 page 1). Joch concerns a low-complexity deblocking filter (title).

Claims 1, 12 and 13 are independently patentable over the cited references. Claim 1 provides that (i) all of the intra prediction DC predictors are generated using the formulas in a first of the groups when all of the sum values are available and (ii) both (a) one of the intra prediction DC predictors is generated using a respective one of the formulas in a second of the groups and (b) a remainder of the intra prediction DC predictors are generated using respective ones of the formulas in the first

group when only a single one of the sum values is unavailable. Claims 12 and 13 provide similar language. The Office Action asserts that WD2, and in particular page 33 section 4.4.1.3, mentions that:

... when one sample e.g. S2 is unavailable one subset A, B and D are predicted predicted [sic] with a prediction type that uses closest possible samples while the second subset, C, is predicted with a second prediction type that does not use the closest possible sample.

In contrast, no such suggestion appears to be present in WD2 and thus *prima facie* obviousness has not been established.

In particular, section 4.4.4.1.3 of WD2 only indicates how to deal with four specific situations. In the first situation, all of the sums S0, S1, S2 and S3 are inside a frame and thus are all available. In the second situation, only S0 and S1 are inside the frame and thus both S2 and S3 are unavailable. In the third situation, only S2 and S3 are inside the frame and thus both S0 and S1 are unavailable. In the fourth situation, all of S0, S1, S2 and S3 are outside the frame and thus all are not available. WD2 does not appear to contemplate a situation where only a single one of the sums, such as S2, is not available. Sun does not appear to cure the deficiency in WD2.

Furthermore, FIGURE 8 of WD2 indicates that if S2 is not available because it is outside the frame, then S3 cannot be available because it too will be outside the frame. Likewise, either S0 and S1 are both inside the frame or they are both outside

the frame. There is nothing in WD2 that would suggest that missing only a single one of the sums is possible. Sun does not appear to cure the deficiency of WD2. Therefore, Sum and WD2, alone or in combination, do not appear to render obvious that (i) all of the intra prediction DC predictors are generated using the formulas in a first of the groups when all of the sum values are available and (ii) both (a) one of the intra prediction DC predictors is generated using a respective one of the formulas in a second of the groups and (b) a remainder of the intra prediction DC predictors are generated using respective ones of the formulas in the first group when only a single one of the sum values is unavailable, as presently claimed. As such, the claimed invention is fully patentable over the cited references and the rejections should be withdrawn.

Claims 22 and 24 are independently patentable over the cited references. Claim 22 provides that the second processing circuit is configured to generate a signal carrying mode information that identifies the formulas used to generate the intra prediction DC predictors. Claim 24 provides similar language. The Office Action asserts that paragraphs 0043 and 0046 of Sun mention generating mode information. In contrast, the cited text of Sun actually mentions generating predictive information. Furthermore, FIG. 2 of Sun indicates that the predictive information (on line 212) is a motion prediction mode and motion vectors. Nothing in

Sun appears to indicate that the predictive information including anything that identifies the formulas used to generate intra prediction DC predictors. Furthermore, section 4.4.4.1.3 of WD2 states:

For chrominance prediction there is only one mode. **No information is therefore needed to be transmitted.** (Emphasis added)

The claimed mode information is in direct opposition to WD2. The claimed invention sends information where WD2 indicates that no information needs to be sent. Therefore, Sun and WD2, alone or in combination, do not appear to render obvious that the second processing circuit is configured to generate a signal carrying mode information that identifies the formulas used to generate the intra prediction DC predictors, as presently claimed. As such, claims 22 and 24 are fully patentable over the cited references and the rejections should be withdrawn.

Claims 2-9, 11, 15-18 and 20-24 depend, either directly or indirectly, from claims 1 or 13, which are now believed to be allowable. As such, the dependent claims are fully patentable over the cited references and the rejections should be withdrawn.

Accordingly, the present application is in condition for allowance. Early and favorable action by the Examiner is respectfully solicited.

The Examiner is respectfully invited to call the Applicants' representative between the hours of 9 a.m. and 5 p.m.

ET at 586-498-0670 should it be deemed beneficial to further advance prosecution of the application.

If any additional fees are due, please charge Deposit Account No. 12-2252.

Respectfully submitted,

CHRISTOPHER P. MAIORANA, P.C.



~~John J. Ignatowski~~  
John J. Ignatowski  
Registration No. 36,555

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c/o Lloyd Sadler  
LSI Corporation

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